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Organisation  
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pour l'éducation,  
la science et la culture

Organización  
de las Naciones Unidas  
para la Educación,  
la Ciencia y la Cultura

Организация  
Объединенных Наций по  
вопросам образования,  
науки и культуры

منظمة الأمم المتحدة  
للتربية والعلم والثقافة

联合国教育、  
科学及文化组织

# Diversity of Cultural Expressions

1 CP

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## CONFERENCE OF PARTIES TO THE CONVENTION ON THE PROTECTION AND PROMOTION OF THE DIVERSITY OF CULTURAL EXPRESSIONS

First session  
Paris, UNESCO Headquarters, Room I  
18–20 June 2007

**RESOLUTIONS**

**Item 1B of the agenda: Election of a chairperson, one or more vice-chairpersons and a rapporteur of the Conference of Parties**

**Resolution 1.CP 1B**

*The Conference of Parties,*

1. *Elects Professor Kader Asmal, South Africa, Chairperson of the Conference of Parties,*
2. *Elects Nina Obuljen, Croatia, Rapporteur of the Conference of Parties,*
3. *Elects Chile, India, Spain and Tunisia Vice-Chairpersons of the Conference of Parties.*

**Item 2 of the agenda: Adoption of the Agenda of the First Session of the Conference of Parties**

**Resolution 1.CP 2**

*The Conference of Parties,*

1. *Having examined document CE/07/1.CP/CONF/209/2,*
2. *Adopts the Agenda of the above-mentioned document.*

**Item 3 of the agenda: Adoption of the Rules of Procedure of the Conference of Parties to the Convention on the Protection and Promotion of the Diversity of Cultural Expressions**

**Resolution 1.CP 3**

*The Conference of Parties,*

1. *Having examined the provisional Rules of Procedure set out in document CE/07/1.CP/CONF/209/3,*
2. *Adopts its Rules of Procedure, as contained in that document, and as amended.*

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**Annex to Resolution 1.CP 3:**

**RULES OF PROCEDURE OF THE CONFERENCE OF PARTIES TO THE CONVENTION ON THE PROTECTION AND PROMOTION OF THE DIVERSITY OF CULTURAL EXPRESSIONS**

**I. PARTICIPATION**

**Rule 1 Chief participants**

The representatives of all Parties to the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (hereinafter referred to as 'the Convention'), adopted by the General Conference on 20 October 2005, may take part, with the right to vote, in the work of the Conference of Parties (hereinafter referred to as 'the Conference').

**Rule 2 Observers**

- 2.1 The representatives of Member States of UNESCO not parties to the Convention, and permanent observer missions to UNESCO may participate in the work of the Conference as observers, without the right to vote, and subject to the provisions of Rule 9.3.
- 2.2 Representatives of the United Nations and organizations of the United Nations system and other intergovernmental organizations, which have concluded mutual representation agreements with UNESCO, may participate in the work of the Conference, without the right to vote, and subject to the provisions of Rule 9.3.
- 2.3 Intergovernmental organizations other than those referred to in Rule 2.2 and non-governmental organizations having interests and activities in the field covered by the Convention, may be invited by the Conference to participate in its work as observers, without the right to vote, and subject to the provisions of Rule 9.3, at all its sessions, at a single session or at a specific meeting of a session upon written request to the Director-General of UNESCO.

**II. ORGANIZATION OF THE CONFERENCE**

**Rule 3 Meetings of the Conference**

The Conference shall meet in ordinary session every two years. It may meet in extraordinary session if it so decides or if the Intergovernmental Committee for the Protection and Promotion of the Diversity of Cultural Expressions (hereinafter

referred to as ‘the Committee’) receives a request to that effect from at least one third of the Parties.

#### **Rule 4 Provisional agenda**

The Provisional Agenda of an ordinary session of the Conference may include:

- a. Any question required by the Convention and the present Rules;
- b. Any question, the inclusion of which has been decided by the Conference at a previous session;
- c. Any question referred by the Committee;
- d. Any question proposed by Parties to the Convention;
- e. Any question proposed by the Director-General.

#### **Rule 5 Election of officers**

The Conference shall elect a Chairperson, one or more Vice-Chairpersons and a Rapporteur.

#### **Rule 6 Duties of the Chairperson**

6.1 In addition to exercising the powers, which are conferred upon him/her elsewhere by the present Rules, the Chairperson shall open and close each plenary meeting of the Conference. He/she shall direct the discussions, ensure observance of these Rules, accord the right to speak, put questions to the vote and announce decisions. He/she shall rule on points of order and, subject to the present Rules, shall control the proceedings and the maintenance of order. He/she shall not vote, but he/she may instruct another member of his/her delegation to vote on his/her behalf.

6.2 Should the Chairperson be absent during a meeting, or any part thereof, he/she shall be replaced by a Vice-Chairperson. The Vice-Chairperson acting as Chairperson shall have the same powers and duties as the Chairperson.

### **III. CONDUCT OF BUSINESS**

#### **Rule 7 Public nature of meetings**

Meetings shall be held in public unless decided otherwise by the Conference.

#### **Rule 8 Quorum**

8.1 A quorum shall consist of a majority of the Parties referred to in Rule 1 and represented at the Conference.

8.2 The Conference shall not decide on any matter unless a quorum is present.

**Rule 9 Order and time-limit of speakers**

9.1 The Chairperson shall call upon speakers in the order in which they signify their wish to speak.

9.2 For the convenience of the discussion, the Chairperson may limit the time to be allowed to each speaker.

9.3 The consent of the Chairperson must be obtained whenever an observer wishes to address the Conference.

**Rule 10 Points of order**

10.1 During a discussion, any representative of a Party may raise a point of order, which shall be immediately ruled on by the Chairperson.

10.2 An appeal may be made against the ruling of the Chairperson. Such an appeal shall be put to the vote immediately and the Chairperson's ruling shall stand, unless overruled by a majority of the Parties present and voting.

**Rule 11 Procedural motions**

11.1 During a discussion, any representative of a Party may move the suspension or adjournment of the meeting or the adjournment or closure of the debate.

11.2 Such a motion shall be put to the vote immediately. Subject to the provisions of Rule 10.1, such motions shall have precedence in the following order over all other proposals or motions before the meeting:

- (a) suspension of the meeting;
- (b) adjournment of the meeting;
- (c) adjournment of the debate on the question under discussion;
- (d) closure of the debate on the question under discussion.

**Rule 12 Working languages**

12.1 The working languages of the Conference shall be Arabic, Chinese, English, French, Russian and Spanish.

12.2 Speeches made at the Conference in one of the working languages shall be interpreted into the other languages.

- 12.3 Speakers may, however, speak in any other language, provided that they make their own arrangements for interpretation of their speeches into one of the working languages.

### **Rule 13 Resolutions and amendments**

- 13.1 Draft resolutions and amendments may be proposed by the Parties referred to in Rule 1 and shall be transmitted in writing to the Secretariat of the Conference, which shall circulate copies to all participants.
- 13.2 As a general rule, no draft resolution shall be discussed or put to the vote unless it has been circulated reasonably in advance to all participants in the working languages of the Conference.

### **Rule 14 Voting**

- 14.1 The representative of each Party referred to in Rule 1 shall have one vote in the Conference.
- 14.2 In accordance with Article 27.3(b) of the Convention, regional economic integration organizations, in matters within their competence, shall exercise their rights to vote with a number of votes equal to the number of their Member States that are Parties to this Convention. Such an organization shall not exercise its right to vote if any of its Member States exercises its right, and vice-versa.
- 14.3 Subject to the provisions of Rules 8.2, 21 and 22, decisions shall be taken by a majority of the Parties present and voting.
- 14.4 For the purpose of the present Rules, the expression “Parties present and voting” shall mean Parties casting an affirmative or negative vote. Parties abstaining from voting shall be regarded as having not voted.
- 14.5 After the chairperson has announced the beginning of voting, no one shall interrupt the voting except on a point of order in connection with the actual conduct of the voting.
- 14.6 Voting shall be by a show of hands, except for the election of the Members of the Committee.
- 14.7 When the result of a vote by show of hands is in doubt, the Chairperson may take a second vote by a roll-call. A vote by roll-call shall also be taken if it is requested by not less than two delegations before the voting takes place.
- 14.8 When an amendment to a proposal is moved, the amendment shall be voted on first. When two or more amendments to a proposal are

moved, the Conference shall first vote on the amendment deemed by the Chairperson to be furthest removed in substance from the original proposal, and then on the amendment next furthest removed therefrom and so on, until all the amendments have been put to the vote.

- 14.9 If one or more amendments are adopted, the amended proposal shall then be voted upon as a whole.
- 14.10 A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal.
- 14.11 If two or more proposals, other than amendments, relate to the same questions, they shall be voted on in the order in which they were submitted.

The Conference may, after each vote on a proposal, decide whether to vote on the next proposal.

#### **IV. ELECTION AND TERM OF OFFICE OF THE MEMBERS OF THE INTERGOVERNMENTAL COMMITTEE FOR THE PROTECTION AND PROMOTION OF THE DIVERSITY OF CULTURAL EXPRESSIONS**

##### **Rule 15 Geographical distribution**

- 15.1 The election of the Members of the Committee shall be conducted on the basis of the composition of the electoral groups of UNESCO, as determined by the UNESCO General Conference at its most recent session, it being understood that 'Group V' shall consist of two separate groups, for the African States and Arab States respectively.
- 15.2 Membership in the Committee, as composed of 24 States Parties, shall be distributed at each election among electoral groups in proportion to the number of States Parties from each group, provided that, after such distribution, a minimum of three seats and a maximum of six seats have been attributed to each of the six electoral groups. In case the above formula cannot be practically applied, an exceptional arrangement may be made to accommodate such special circumstances.

##### **Rule 16 Term of office of the Members of the Committee**

The States Members of the Committee shall be elected for a term of office of four years. Nevertheless, the term of office of half of the States Members of the Committee elected in the first election shall be limited to two years. Those States will be chosen by lot at the time of the first election. Every two years, the Conference shall elect half of the membership of the Committee with due regard

to the principle of rotation. A Member cannot be elected to two consecutive mandates unless:

- (i) A regional group presents a 'clean slate';
- (ii) Following the first election, a State serves for only two years;
- (iii) The number of States Parties of an electoral group is less than the minimum number of seats foreseen in Rule 15.2.

#### **Rule 17 Procedures for the presentation of candidatures to the Committee**

17.1 The Secretariat shall ask all States Parties, at least three months prior to the opening of the Conference, whether they intend to stand for election to the Committee. If so, the State Party's candidature shall be sent to the Secretariat at least six weeks prior to the opening of the Conference.

17.2 At least four weeks prior to the opening of the Conference, the Secretariat shall send to all States Parties the provisional list of candidates, indicating the electoral group to which they belong and the number of seats to be filled in each electoral group.

#### **Rule 18 Election of Members of the Committee**

18.1 The election of Members of the Committee shall be conducted by secret ballot except that, where the number of candidates, according to geographical distribution, is the same as or less than the number of seats to be filled, the candidates shall be declared elected without the need to hold a ballot.

18.2 Before the election begins, the Chairperson shall appoint two tellers from among the delegates present; he/she shall hand to them the list of States candidates. He/she shall announce the number of seats to be filled.

18.3 The Secretariat shall prepare for each delegation an envelope without any distinguishing mark and separate ballot papers, one for each of the electoral groups. The ballot paper for each electoral group shall bear the names of all the States Parties that are candidates for election in that electoral group.

18.4 The representative of each Party shall cast his/her vote by circling the names of those States for which he/she desires to vote.

18.5 The tellers shall collect from each delegation their ballot papers and shall proceed to count the votes, under the supervision of the Chairperson.

- 18.6 The absence of any ballot paper in the envelope shall be considered an abstention.
- 18.7 Ballot papers on which more names have been circled than there are seats to be filled and those which bear no indication of the voter's intention shall be considered invalid.
- 18.8 The counting of the votes for each electoral group shall take place separately. The tellers shall open the envelopes, one by one, and shall sort the ballot papers into electoral groups. The votes cast for the candidate States Parties shall be entered on lists prepared for that purpose.
- 18.9 The Chairperson shall declare elected those candidates who obtain the greatest number of votes up to the number of seats to be filled. If two or more candidates obtain the same number of votes, and, as a result, there are still more candidates than seats to be filled, there shall be a second secret ballot restricted to those candidates who obtained the same number of votes. If in the second ballot two or more candidates obtain the same number of votes, the Chairperson shall draw lots to determine which candidate has won.
- 18.10 When the counting of the votes is completed, the Chairperson shall announce the results of the ballot separately for each of the electoral groups.

## **V. THE SECRETARIAT OF THE MEETING**

### **Rule 19 Secretariat**

- 19.1 The Director-General of UNESCO or his/her representative shall participate in the work of the Conference, without the right to vote. He/she may, at any time, make either oral or written statements to the Conference on any question under discussion.
- 19.2 The Director-General of UNESCO shall appoint an official of the Secretariat of UNESCO to act as Secretary to the Conference, and other officials who shall together constitute the Secretariat of the Conference.
- 19.3 The Secretariat shall receive, translate and distribute all official documents in the six working languages, at least 30 days before the opening of the session of the Conference. It shall arrange for the interpretation of the discussions and shall also perform all other duties necessary for the proper conduct of the work of the Conference.

## VI. ADOPTION AND AMENDMENT OF THE RULES OF PROCEDURE

### Rule 20 Adoption

The Conference shall adopt its Rules of Procedure by a decision taken in plenary meeting by a simple majority of the representatives of Parties present and voting.

### Rule 21 Amendment

The Conference may amend these Rules of Procedure by a decision taken in plenary meeting by a two-thirds majority of the representatives of Parties present and voting.

### Rule 22 Suspension

A Rule of Procedure, except when it reproduces provisions of the Convention, may be suspended by a decision of the Conference taken by a two-third majority of the Parties present and voting.

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### **Item 4 of the agenda: Dates and venue of the sessions of the Conference of Parties**

#### **Resolution 1.CP 4**

*The Conference of Parties,*

1. *Having examined document CE/07/1.CP/CONF/209/4,*
2. *Decides to convene its ordinary sessions every two years around the month of June,*
3. *Decides consequently to convene the second ordinary session of the Conference of Parties in June 2009.*

**Item 5A of the agenda: Distribution among electoral groups of the seats of the Intergovernmental Committee for the Protection and Promotion of the Diversity of Cultural Expressions**

**Resolution 1.CP 5A**

*The Conference of Parties,*

1. *Having examined document CE/07/1.CP/CONF/209/5A,*
2. *Considering that, for the purposes of the election of the members of the Committee, the seats on the Committee are to be distributed among the electoral groups pro rata to the number of States Parties in each group in accordance with Rule 15 of the Rules of Procedure, it being understood that a minimum of three seats and a maximum of six seats will be allocated to each of the six electoral groups,*
3. *Decides that, for the purposes of the election of the members of the Committee at the present session and given the special circumstances as provided for by Rule 15.2 of the Rules of Procedure, the 24 seats will be distributed among the electoral groups in accordance with the following exceptional arrangement: Group I (7); Group II (4); Group III (4); Group IV (2); Group V(a) (5); Group V(b) (2) it being understood that at the next ordinary session of the Conference of Parties one seat will be returned by Group I to group IV and one seat by group V(a) to Group V (b).*

**Item 5B of the Agenda: Election of the Intergovernmental Committee for the Protection and Promotion of the Diversity of Cultural Expressions.**

The following States were elected Members of the Intergovernmental Committee:

Group I: Austria  
Canada  
Finland  
France  
Germany  
Greece  
Luxembourg

Group II: Albania  
Croatia  
Lithuania  
Slovenia

<u>Group III:</u>	Brazil Guatemala Mexico Saint Lucia
<u>Group IV:</u>	China India
<u>Group V(a):</u>	Burkina Faso Mali Mauritius Senegal South Africa
<u>Group V(b):</u>	Oman Tunisia

**Item 5C of the agenda: Selection by lot of twelve States Members of the Intergovernmental Committee for the Protection and Promotion of the Diversity of Cultural Expressions, whose term of office will be limited to two years**

**Resolution 1 CP 5C**

*The Conference of Parties,*

- 1. Having examined document CE/07/1.CP/CONF/209/5C,*
- 2. Recalling Article 23.1 of the Convention and Rule 16 of the Rules of Procedure,*
- 3. Decides to draw by lot the twelve States Members of the Intergovernmental Committee whose term of office will be limited to two years taking into account geographical distribution, which entails 4 members for Group I, 2 members for Group II, 2 members for Group III, 1 member for Group IV, 2 members for Group V (a) and 1 member for Group V(b).*

The following States were drawn by lot:

<u>Group I:</u>	Austria Canada Finland France
<u>Group II:</u>	Albania Slovenia

<u>Group III:</u>	Brazil Guatemala
<u>Group IV:</u>	China
<u>Group V(a):</u>	Burkina Faso Mali
<u>Group V(b):</u>	Tunisia

**Item 6 of the agenda: Date and venue of the first meeting of the Intergovernmental Committee for the Protection and Promotion of the Diversity of Cultural Expressions**

**Resolution 1.CP 6**

*The Conference of Parties,*

- 1. Noting that the speed with which the Convention has been ratified is a sign of the importance attached by the international community to the protection and promotion of the diversity of cultural expressions,*
- 2. Considering that it is important to implement the Convention as soon as possible in order to effectively protect and promote the diversity of cultural expressions,*
- 3. Decides that, as a rule, the Intergovernmental Committee will meet at UNESCO Headquarters in Paris. Further decides that considering its inaugural nature, the first meeting of the Intergovernmental Committee for the Protection and Promotion of the Diversity of Cultural Expressions will be convened at Ottawa, Canada, as from 10 December 2007,*
- 4. Requests the Committee to prepare the operational guidelines referred to in subparagraph (c) of Article 22.4 and subparagraph (b) of Article 23.6 of the Convention, giving priority attention to, among others, the dispositions of Articles 7, 8 and 11 to 17 of the Convention, as well as Article 18 in conformity with Resolution 1.CP 7 and to submit to it at its second ordinary session the results of its work for consideration and approval.*

**Item 7 of the agenda: Functioning and administration of the International Fund for Cultural Diversity**

**Resolution 1.CP 7**

*The Conference of Parties,*

1. *Having examined document CE/07/1.CP/CONF/209/7,*
2. *Considering that it is important to implement the Convention at the national, regional and international levels as soon as possible in order to protect and promote the diversity of cultural expressions,*
3. *Recalling that the International Fund for Cultural Diversity constitutes a means by which the Parties shall endeavour to support cooperation for sustainable development in order to foster the emergence of a dynamic cultural sector, especially in relation to the specific needs of developing countries,*
4. *Decides that the International Fund for Cultural Diversity provided for in Article 18 of the Convention shall be managed as a special account in accordance with Article 6.6 of the Financial Regulations of UNESCO,*
- 4 bis. *Approves the Financial Regulations of the International Fund for Cultural Diversity,*
5. *Requests the Committee, in accordance with Article 23.6(f) of the Convention, to submit to it for approval at its second ordinary session draft guidelines on the use of the resources of the Fund in compliance with Article 18.4 by specifying its priorities and modalities,*
6. *Requests the Committee to take into account the debate that took place during the Conference of Parties.*